

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00176

CHARLES D. TAYLOR

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On October 28, 2013, the United States of America appeared by Erik S. Goes, Assistant United States Attorney, and the defendant, Charles D. Taylor, appeared in person and by his counsel, Rhett H. Johnson, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by Senior United States Probation Officer Patrick M. Fidler. The defendant commenced a one-year term of supervised release in this action on April 26, 2013, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on October 15, 2009.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state offense of domestic battery for which he was arrested on August 2, 2013, as evidenced by his plea of no contest on October 1, 2013; (2) the defendant used and possessed cocaine as evidenced by positive urine specimens submitted by him on August 20, September 16 and October 8, 2013, and his admission to the probation officer on August 19, 2013, that he had used cocaine; (3) the defendant failed to submit monthly reports as required inasmuch as supervision commenced April 26, 2013, and as of September 9, 2013, he had not submitted a report, although the defendant did submit on October 21, 2013, overdue reports for June, July, August and September 2013; and (4) the defendant failed to pay restitution as directed by the court inasmuch as he has made no payments since supervised release commenced and failed to submit a written budget to the probation officer as instructed; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

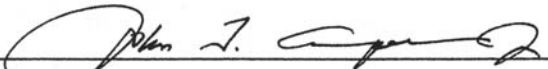
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE (12) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 7, 2013



John T. Copenhaver, Jr.
United States District Judge